

Docket No.: KH-1715 US(NHL-KEH-26A)  
Serial No.: 10/789,927  
Customer No.: 52671

**REMARKS**

The Office Action dated July 6, 2007, has been reviewed in detail and the application has been amended in the sincere effort to place the same in condition for allowance. Reconsideration of the application and allowance in its amended form are requested based on the following remarks.

Applicant retains the right to pursue broader claims under 35 U.S.C. §120.

Applicant has provided a unique solution with respect to problems regarding CUTTING INSERT AND USE THEREOF. Applicant's solution is now claimed in a manner that satisfies the requirements of 35 U.S.C. §103 and §112.

**Allowable Subject Matter:**

Claim 18 was indicated as being allowed on page 18 of the outstanding Office Action. All other claims currently on file have been canceled herein, without prejudice, rendering the rejections against those claims moot. It is respectfully submitted that the application is now in condition for allowance, and action toward that end is respectfully requested.

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**Priority Claim:**

The Examiner stated on page 2 of the outstanding Office Action that the Applicant had claimed priority to Federal Republic of Germany Patent Application No. 101 42 049.8, but that a certified copy of this application had not yet been filed. Applicant wishes to notify the Examiner at this time that the certified copy of Federal Republic of Germany Patent Application No. 101 42 049.8 was filed on July 11, 2007.

**Summary and Conclusion:**

It is submitted that Applicant has provided a new and unique CUTTING INSERT AND USE THEREOF. It is submitted that the claims are fully distinguishable from the prior art. Therefore, it is requested that a Notice of Allowance be issued at an early date.

If mailed, I, the person signing this certification below, hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the date indicated in the certification of mailing on the transmittal letter sent herewith, or if facsimile transmitted, I, the person signing this certification below, hereby

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certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office on the date indicated in the certification of facsimile transmission on the transmittal letter which is being facsimile transmitted herewith.

Respectfully submitted,

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